COMMENT SET 5

State of California

Memorandum

To : Mr. Eric L . Gillies
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, California 95825

Date : March 16, 2004

From : **ERIC J. LARSON**
Northern California Manager/
Bays and Estuaries Ecosystem Coordinator
Marine Region- Belmont

Subject : Comments on the Revised PRC 421 Pier Removal Project

Department of Fish and Game (Department) personnel have reviewed the Draft Environmental Impact Report (DEIR) for the Revised PRC-421 Pier Removal Project (SCH No. 2001021119). The California State Lands Commission (SLC) is the Lead Agency for this proposal. The proposed project would remove the remnant pier structure and construct a bird roosting/nesting platform on State of California tidelands lease PRC-421, Santa Barbara County, California. The existing structure is located 2 miles west of Coal Oil Point, approximately 400 to 900 feet from shore in 32 feet of water. The purpose of removing the remnant structure is to eliminate risks to public safety from falling debris or a catastrophic failure and to satisfy the SLC requirements related to lease abandonment after oil and gas operations. The Atlantic Richfield Company (ARCO) is obligated to remove the structure at this site. **5-1**

The remnant structure consists of the remains of a pier and well built in the early1930's. It is comprised of eight, 8-foot diameter steel-reinforced concrete columns (caissons) connected with steel trusses which support the remnants of a wooden deck. A conductor pipe from a previously abandoned and plugged well is located within the footprint of the caissons. There are approximately 22 rows of metal I-beam piling remnants, extending up to 4-foot from the ocean bottom, that are aligned towards the shoreline from the original causeway. A second abandoned and plugged well conductor pipe is located within the original causeway alignment.

Project Description

The remnant pier structure and associated elements will be removed and the caissons will be toppled. Quarry rock will be imported to cover the caissons and pilings will be installed with bird roosting/nesting platforms on the tops within the rock footprint. A load line barge (LLB) will be used to remove the wooden deck and steel trusses. All other debris associated with the structure will be removed and transported to shore for recycling/disposal. The caissons will be toppled below the mudline with explosive cutters and left on the seafloor. Divers will confirm their position and, if necessary, some caissons may be repositioned. The LLB will be relocated to remove causeway piling remnants which will be cut below or at the mudline. The second well conductor will be removed below the mudline and the rock pile surrounding the inshore well conductor will be left in place as hard bottom substrate. The causeway area will be surveyed to document removal of all inshore debris. Within the toppled caisson footprint, four pilings will be jetted into place and

quarry rock will be brought to the site and deposited over the caissons. The rock will also function to protect the lower portions of the piles. A 30-inch pipe will be jetted into the seabed around the well conductor to prevent rock from covering it up. The pipe will be trimmed to the level of the rock once deposition is complete. Four pilings will be driven into the seabed and seabird roosting/nesting platforms will be installed on the tops. A final underwater survey will be conducted to ensure removal of all debris from the project site. **5-1**

Additionally, the DEIR describes mitigation measures, designed to minimize the environmental impacts of the project, including a pre-project kelp survey and seafloor survey (to select anchor points), an anchor mitigation and hard bottom avoidance plan, timing to avoid bird nesting and gray whale migration, use of aerial surveys before detonations, use of biological monitors, a wildlife protection plan, and an oil spill contingency plan. Finally, the SLC will issue a new 49-year lease to the Department for the surface area of the site covered by hard substrate (excluding the well conductor). The current leaseholder, VENOCO, will maintain the responsibility for the abandoned well conductor lease area. Project implementation is planned for September and October 2004.

The Department is a Trustee Agency in terms of the California Environmental Quality Act (CEQA). Our primary objective for reviewing environmental documents is to be able to provide the project sponsor and Lead Agency with recommendations for avoiding or minimizing negative impacts to fish and wildlife. The Department has the following comments regarding the proposed project as it is currently presented in the DEIR.

General Comments:

Removal of the structure, caissons and all associated structures (decking, well heads, pilings, debris), was first described in the SLC's year 2002 DEIR for the project. The Department responded to the 2002 DEIR during the public review period in May 2002. Our main concerns involved the loss of roosting and nesting habitat for California brown pelicans and Brandt's cormorants and the impacts to hard substrate and kelp from removal activities. The Department suggested a new roosting platform to provide in-kind, on-site mitigation, proportional to the impact of the project. Additionally, we preferred column toppling (a project alternative) to column removal as it would decrease impacts to hard-bottom habitat, kelp, and associated plant and animal communities, and would likely provide additional area for recruitment of kelp and associated fishes and invertebrates. We believe the project described in the DEIR addresses the majority of our original concerns. However, we still have concerns with taking over the lease including; a long-term maintenance plan, the navigational hazards and liability issue, and the establishment of a maintenance fund to maintain the site. The Department continues to work with the SLC to resolve these issues. **5-2**

We would also like to mention that although the proposed project's quarry rock-over-toppled caissons will provide hard substrate and, therefore, over time some beneficial effects, it was not designed, nor was it intended to be, an artificial **5-3**

reef. This has been a topic of discussion among some of the permitting agencies that will ultimately issue permits for this project. As currently described in the proposed project, the caissons will be centrally positioned to reduce the seabed footprint. Re-positioning or "nesting" of the caissons may be required. Once this is complete, quarry rock will be deposited over the caissons. The rock will function to support and provide some protection to the seabird pilings. If the site was being designed as an artificial reef site it would be more beneficial to have the caissons positioned away from the center of the site and create a larger footprint, taking into account any potential impacts to surrounding reef habitat. As an alternative to covering the caissons with rock, the Department recommends that the rock be placed between and up to the caissons, not on top of them, to a height or relief of two to three feet (depending on rock size) and that the remaining volume of rock formerly needed to cover the caissons be redistributed, with a similar relief profile, within the remainder of the site to increase the total area of reef substrate. The exact footprint of this alternative would be somewhat dependant on the final disposition of the toppled caissons. However, the extra rock would be most effective if placed in areas of the site which do not currently have exposed rock substrate. This would also provide an opportunity for increased kelp growth at the site. Potential areas for this rock placement include those to the northwest and south of the current caissons. These areas have low amounts of hard substrate and kelp canopy (see Figs. 4.1.1 and 4.4.3 of the DEIR). The proposed quarry rock grade of A-500 is acceptable. However, a quarry grade containing some rocks of one to three tons and fewer rocks under 500 pounds would be preferable. Use of mixture of rock sizes would provide a more complex substrate and reduce the chance that smaller rocks might be lifted and moved by attached kelp buoyancy. **5-3**

The Department understands that the current project design can not significantly elevate ARCO's costs compared to the original proposed project of complete removal. By not covering the caissons, the total rock coverage at a two to four foot relief will obviously cover much more sea-bed area. Using somewhat larger quarry rock might also increase the coverage and will produce a more diverse and stable reef. The net result would be a project that restores and enhance fish habitat and provides mitigation for the loss of seabird roosting and nesting habitat.

Specific Comments:

- Section 4.4.4.3 discusses mitigation measures to reduce impacts to biological resources. In addition, the Anchor Mitigation and Hard Bottom Avoidance Plan (Appendix C), Wildlife Protection Plan (J), Marine Mammal Contingency Plan (L), Oil Spill Contingency Plan (M), and the Mitigation Monitoring Program (P) further describe mitigation measures designed to reduce environmental impacts. The Department concurs with these measures and plans. **5-4**

- Page 1-12 states that mapping of the hard bottom and kelp has been performed. However, page 3-19 (and page 4.4-54) states that a pre-project kelp survey and a final bottom survey (to determine anchor points) would be conducted 30-60 days prior to offshore mobilization in accordance with the California Coastal Commission (CCC) approved protocol. The Department supports the CCC protocol. **5-5**

- Page 4.4-18 describes white abalone (*Haliotis sorenseni*) as occurring in waters from 20 to 60 meters (m) or 66 to197 feet. However, Hobday and Tegner (2000) cite "the depth distribution for white abalone is poorly known," and "white abalone are occasionally found at depths of 10 to 15m." Within the past few years, two white abalone were found in shallow waters (< 30 feet) off El Capitan Beach, just west of Coal Oil Point, in Santa Barbara County. Additionally, Department biologists who work on abalone issues have noted various reports of white abalone seen on Naples Reef in the past and the area is known for shallow water white abalone. Since there is substantial hard substrate in the project area, we strongly recommend the project proponent survey for white abalone prior to any removal activities. This could be done during the kelp and hard substrate surveys. If white abalone are found, the project proponent would need to contact NOAA Fisheries in Long Beach for direction.

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We would like to thank the SLC for their continuing efforts concerning this project and we look forward to continued involvement in development of the project site. Should you have any questions, comments, or concerns, please contact Ms. Marilyn Fluharty, Environmental Scientist, California Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, telephone (858) 467-4231.

References:

Hobday,A.J. and M. Tegner. 2000. Status Review of White Abalone (Haliotis sorenseni) Throughout Its Range In California And Mexico. NOAA Technical Memorandum NMFS SWR-035, May 2000.

cc: Mr. Scott Morgan (original sent to Lead Agency)
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Commenting Party: California Department of Fish and Game, Eric Larson

Date of Comment(s): March 11, 2004

Responses to Comment(s):

5-1. Comment acknowledged.

5-2. Comment noted and conclusion acknowledged.

5-3. A representation of the toppled caissons prior to any nesting appears in Figure 3-10, page 3-22 of the DEIR. The placement of the rock around the caissons in the manner proposed by the CDFG is feasible and we concur with the CDFG that the revised configuration will result in "a project that restores and enhance fish habitat."

5-4. Comment acknowledged.

5-5. Comment acknowledged.

5-6. Please see Response to Comment 4-1 of NOAA Fisheries.